

TRANSLATION

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/ES2004/000069	International filing date (<i>day/month/year</i>) 17.02.2004	Priority date (<i>day/month/year</i>)
International Patent Classification (IPC) or national classification and IPC G07B15/00 (2006.01) , H04L29/06 (2006.01) , H04L12/28 (2006.01)		
Applicant GLOBAL CONSULTING TOUCH IBERICA, S.L.		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of _____ sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising: a. <input checked="" type="checkbox"/> (sent to the applicant and to the International Bureau) a total of <u>5</u> sheets, as follows: <input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4. This report contains indications relating to the following items: <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/ES	Authorized officer
Facsimile No.	Telephone No.

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Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-16 _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* 17-21 _____ received by this Authority on 19.12.2005
- nos.* _____ received by this Authority on _____
- ☐ the drawings:
- sheets _____ as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	<u>1-19</u>	YES
	Claims	<u></u>	NO
Inventive step (IS)	Claims	<u></u>	YES
	Claims	<u>1-19</u>	NO
Industrial applicability (IA)	Claims	<u>1-19</u>	YES
	Claims	<u></u>	NO
2. Citations and explanations (Rule 70.7)			
Documents taken into consideration:			
D1: ES 2 190 239 T3 (27 June 2001)			
D2: US 2002 022 453 A1 (21 February 2002)			
D3: US 2002 173 296 A1 (21 November 2002)			
D4: WO 2004/015930 A2 (19 February 2004)			
D5: WO 02/058334 A2 (25 July 2002)			
<p>Document D1 describes a system for paying for the right to access a service. The system carries out a payment transaction using a terminal (20) to request the service from a server (22) to which it is connected via a communication network (21). Subsequently, and subject to user authentication, the server transmits a remote payment request to a radio paging server, which information is input into a server for processing and transmitting the relevant terminal charge and transferring the information on rights of use to both the requesting terminal (22) and an additional terminal (1) on board the vehicle so that said information can be displayed to the verification agents.</p>			
The difference between document D1 and the present			

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Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
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application lies in the wireless technology used. Claim 1 is based on the decision to use Bluetooth technology to establish the necessary communication between the user terminal and the corresponding server. This amounts to a substitution by equivalent means.

Document D2 describes a system for transferring content from a service provider to a series of mobile devices connected via Bluetooth to an access point via which they can be connected to the Internet. It is indicated in paragraph [0006] that it is commonplace to use Bluetooth technology to establish connectivity between different user devices in such a way that, in the resulting network, each device can operate not only as a host but also as a router, forwarding messages to other devices in the network that may not be within the corresponding communication range. In this specific instance, there is a service provider (12) and a user (14) who accesses the communication network via an access point (20), as in any wireless network. A series of devices (16) made available to the user (14) use Bluetooth technology to connect themselves and exchange data, and are identified on a one-way basis (in one direction), all of the properties thereof being defined in the corresponding profile.

Documents D3 to D5 are cited merely as disclosures of systems that use Bluetooth technology to make use of the usual capabilities of communication networks.

Claim 1 of the present application describes a system for providing a service (access control and payment), which system comprises the known components identified in the

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
	<p>preamble (user device, wireless access point, access control system, wireless communication network and local area network). The characterising part of the claim describes the features for which protection is sought, namely:</p> <ol style="list-style-type: none">1. The presence of a Bluetooth cell in the wireless access point.2. The presence in the user device of:<ol style="list-style-type: none">(a) A control module for receiving Bluetooth signals.(b) Signal processing means.(c) Means for establishing PCA/PTP connections (profiles specific to the system described).3. The wireless communication network has a mobility manager. <p>The above features are defined in a highly generic manner since the device is merely described as having said capability. Feature 1 is routine in any access point using Bluetooth technology, as is evident from D2, features 2(a) and 2(b) are required for any device to be able to communicate using Bluetooth technology, and feature 2(c) involves providing the device with the means needed to access the corresponding Bluetooth service. The invention does not define any specific features whereby its components can be differentiated from any other kind of system in which devices have a Bluetooth communication capability. Furthermore, feature 3 is inherent in any</p>

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
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wireless communication network, as demonstrated by document D2 (see paragraph [0036]), where a mobility server continuously tracks the location of every device and enables the corresponding content delivery routes to be established. It is clear that claim 1 defines features that are common to any communication network and specifically to a network provided with Bluetooth wireless technology. It follows that claim 1 does not involve an inventive step.

The remaining claims merely consist of a listing of system capabilities that are considered to be routine in the field of communication networks, and do not contain a description of the technical features that enable the stated aims to be achieved, such as the presence of handoff management means, the use of AES or SSL encryption means, the establishment and release of connections and sessions, device authentication, the ability to transmit information (events) once the corresponding session has been established, etc., none of which involves an inventive step. One example is, for example, that of claims 12 and 13, which are characterised in that a transaction is carried out by transmitting transaction information to the user device (depending on the configuration thereof) for the purpose of being displayed. Document D1 (see page 9, lines 5-13) already mentions this possibility.

It follows that claims 1 to 19 do not involve an inventive step.